

will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes.

The Senator from Tennessee is recognized.

#### ORDER OF PROCEDURE

Mr. ALEXANDER. Mr. President, I see my friend from Oregon here. I ask unanimous consent to speak a little bit longer than 10 minutes if that would not inconvenience him, or would he like to go?

Mr. WYDEN. That is fine with me. I am waiting for Senator SMITH. Madam President, if I could, I ask unanimous consent that after Senator ALEXANDER completes his remarks, Senator SMITH, my colleague from Oregon, and I may speak for up to 30 minutes. We may not consume all of that time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, I ask unanimous consent to speak for up to 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### THE NEW IRAQI LEADERSHIP

Mr. ALEXANDER. Madam President, I have three or four comments I want to make this morning. Most importantly, I want to say a word about the new leadership in Iraq.

In a delegation led by the Democratic leader, Senator REID of Nevada, seven of us were in Iraq, in Baghdad, about 10 days ago. We met with two of the three new leaders who have been chosen. Mr. al-Hasani, the new speaker, a Sunni, spent some time with us. We spent an hour with Dr. al-Jaafari who, just an hour ago, was named the new Prime Minister of Iraq, and who will be the most important leader we will be dealing with.

I believe our delegation was one of the first from the Senate to spend that much time with the new leader of Iraq. I want to report that I was most impressed with what we saw there. We met a man in his late fifties, who had been in exile from Iraq for a number of years because of the brutality of Saddam Hussein. He is a physician. It seems as though physicians are ascending in all sorts of different places, including in the U.S. Senate and in Iraq. He is a well-educated man and conducted our discussion in English. He showed in his presence a great deal of calm. He is not a quiet man, but he is a calm man who seems to know exactly what he believes and what he thinks.

I was taken with the fact that he began his discussion with us with about a 5-minute monolog about the brutality of Saddam Hussein. He said he was "worse than Hitler, worse than Stalin." Those were his words. He said Hussein had murdered a million people in 35 years. In his words, al-Jaafari said

"he had buried 300,000 people alive." He said that quietly, but he obviously feels that very deeply.

Second, I was most impressed with his understanding of U.S. history. We talked about the difficulty of creating a democracy and how we are expecting them to create a constitution by August. In our situation, years ago, it took us 12 years from the time of the Declaration of Independence to the time of our Constitution. Our Founders locked the news media out for 6 months while they did that. Today, we are expecting the Iraqis to come together—people of different backgrounds—and have a constitution by August, while we watch and criticize on 24/7 television everything they do.

He has a good understanding of U.S. history and, I thought, a great appreciation for democracy and freedom. He showed not only no resentment about the American presence in Iraq, he showed great gratitude for the American presence in Iraq. He wants us to stay there for a while, so that there is enough security for their constitutional government to form. He seemed very comfortable with that.

Finally, he is a brave man—brave during exile, brave today. There may be only a few thousand people in Iraq—a country the size of California with 25 million people—who are causing all the trouble, but they are making it a dangerous place to be. Even the Green Zone and the areas around it are not entirely safe.

So we have a sophisticated, English-speaking, well-educated, U.S.-history-knowing, brave man, who is the new leader of Iraq, a man who is grateful for the American presence and who is determined to help create a democracy. I congratulate the Iraqi people on the substantial achievement.

Also, Mr. al-Hasani, the new speaker, a Sunni—the new Prime Minister is a Shiite—was very impressive to us in the Senate delegation. He, as well as the Prime Minister, wore western clothing in these meetings. I say this as a fact, not as a judgment.

Mr. al-Hasani was educated in the U.S. at two major universities. He lived in Los Angeles during his exile. He created a business in Los Angeles. He went back to Iraq to help create a new democracy. He is also a sophisticated person with a strong knowledge of freedom and democracy, a strong appreciation of the United States, and he is also a brave man to be undertaking this. I congratulate the Iraqis for that.

#### CONSENT DECREES

Mr. ALEXANDER. Madam President, I will ask unanimous consent to have printed in the RECORD an article I wrote, which appeared in the Legal Times for the week of April 4, entitled "Free the People's Choice." This involves a piece of legislation that Senators PRYOR and NELSON on the other side of the aisle and Senators CORNYN and KYL on this side of the aisle and I

have introduced, which would make it possible for newly elected Governors and mayors and legislatures to do what they were elected to do and be free from outdated consent decrees their predecessors may have agreed to, and which exist with the approval of the Federal courts.

We have hundreds of outdated Federal court-approved consent decrees across America, which are running our education systems, foster care systems, Medicaid systems, and they make it impossible for democracy to flourish in the U.S., at a time when people are fighting and dying to give other people democracy in another part of the world. We have strong Democratic and Republican support in the Senate for this. In the House, I finished a meeting with the Republican whip, Roy Blunt, who with Congressman COOPER from Nashville, and all of the Democratic Congressmen from Tennessee, have introduced the same bill in the House.

This piece of legislation would put term limits on Federal court consent decrees and cause them to be more narrowly drawn and do as the Supreme Court said they should do—get these issues back into the hands of the elected officials as soon as possible.

This legislation has strong support, and I hope it will be moving through the Judiciary Committee in proper fashion. It is the No. 1 priority of the National Governors Association and National Association of Counties, and many others. We cannot expect States to control the growth of Medicaid spending if we do not allow them to make their own decisions. We need to get flexibility from our laws, and we need to get the courts to step aside and let elected officials make policy decisions.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the LegalTimes, Apr. 4, 2005]

FREE THE PEOPLE'S CHOICE

(By Lamar Alexander)

Imagine yourself the governor of a state grappling with a broken public health care system. Your goal is to cover the greatest number of people—particularly children—with the best medicine available. But costs are spiraling out of control, so you and your staff craft a reform package that balances the health care needs of low-income citizens with the fiscal realities of the state budget. The task is tough, but this is why you ran for public office.

The story should end there, or, at least, you've reached the point when you would present your plan to your fellow elected officials in the state legislature, and they take a vote—representative democracy at work. Only that's not what's happening in states around the country, whether the issue is health care or transportation or education.

Instead, the hands of governors, mayors, even school boards have been tied by costly and restrictive consent decrees handed down by federal courts, sometimes decades before. These judicial orders result from agreements brokered between public officials and plaintiffs engaged in civil court actions. Once